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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 RICHARD BELDON WATERS III,
15 Defendant.

CASE NO. 2:21-CR-150 WBS
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER
DATE: August 30, 2021
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

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17 STIPULATION

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for a change of plea on August 30, 2021.
21 2. By this stipulation, defendant now moves to continue the change of plea hearing until
September 13, 2021 at 9:00 a.m., and to exclude time between August 30, 2021, and September 13,
2021, under Local Code T4.
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23 3. The parties agree and stipulate, and request that the Court find the following:
24 a) The government has represented that the discovery associated with this case
25 includes over 1,000 pages of law enforcement reports, bank records, photographs, and criminal
26 histories. The government has also produced multiple gigabytes of documents from at least two
27 data extractions of the defendant and his co-defendant's smartphones, which are also available to
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1 defense counsel for inspection. All this discovery has been either produced directly to counsel
2 and/or made available for inspection and copying. On August 23, 2021, the government also
3 filed a Notice of Related Cases to relate and reassign this case to *United States v. Sanchez*, Case
4 No. 2:21-CR-142 KJM (E.D. Cal.). The parties need additional time for the Court and the Clerk
5 to make that reassignment and for the parties to determine how the reassignment will impact the
6 case including its schedule.

7 b) Counsel for defendant desires additional time to consult with her client, to review
8 the current charges, to conduct investigation and research related to the charges, to review
9 discovery for this matter, to discuss potential resolutions with her client, and to otherwise prepare
10 for a potential trial.

11 c) Counsel for defendant believes that failure to grant the above-requested
12 continuance would deny him/her the reasonable time necessary for effective preparation, taking
13 into account the exercise of due diligence.

14 d) The government does not object to the continuance.

15 e) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of August 30, 2021 to September 13,
20 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
21 T4] because it results from a continuance granted by the Court at defendant's request on the basis
22 of the Court's finding that the ends of justice served by taking such action outweigh the best
23 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 25, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ ROBERT J. ARTUZ
ROBERT J. ARTUZ
Special Assistant U.S. Attorney

Dated: August 25, 2021

/s/ JENNIFER MOUZIS
JENNIFER MOUZIS
Counsel for Defendant
RICHARD BELDON WATERS III

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: August 26, 2021

William B. Shubb
WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE